

## § 75.75

the ozone season in which missing data are substituted, and that NO<sub>x</sub> emissions are not systematically underestimated.

(10) Units may qualify to use the low mass emissions excepted monitoring methodology in § 75.19 on an ozone season basis. In order to be allowed to use this methodology, a unit may not emit more than 50 tons of NO<sub>x</sub> per ozone season, as provided in § 75.19(a)(1)(i)(A)(3). If any low mass emissions unit fails to provide a demonstration that its ozone season NO<sub>x</sub> mass emissions are less than or equal to 50 tons, then the unit is disqualified from using the methodology. The owner or operator must install and certify any equipment needed to ensure that the unit is monitored using an acceptable methodology by December 31 of the following year.

(11) Units may qualify to use the optional NO<sub>x</sub> mass emissions estimation protocol for gas-fired and oil-fired peaking units in appendix E to this part on an ozone season basis. In order to be allowed to use this methodology, the unit must meet the definition of “peaking unit” in § 72.2 of this chapter, except that the words “year”, “calendar year” and “calendar years” in that definition shall be replaced by the words “ozone season”, “ozone season”, and “ozone seasons”, respectively. In addition, in the definition of the term “capacity factor” in § 72.2 of this chapter, the word “annual” shall be replaced by the words “ozone season” and the number “8,760” shall be replaced by the number “3,672”.

[63 FR 57507, Oct. 27, 1998, as amended at 64 FR 28627, May 26, 1999; 67 FR 40446, 40447, June 12, 2002; 67 FR 57274, Sept. 9, 2002; 73 FR 4360, Jan. 24, 2008]

## § 75.75 Additional ozone season calculation procedures for special circumstances.

(a) The owner or operator of a unit that is required to calculate ozone season heat input for purposes of providing data needed for determining allocations, shall do so by summing the unit's hourly heat input determined according to the procedures in this part for all hours in which the unit operated during the ozone season.

(b) The owner or operator of a unit that is required to determine ozone

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season NO<sub>x</sub> emission rate (in lbs/mmBtu) shall do so by dividing ozone season NO<sub>x</sub> mass emissions (in lbs) determined in accordance with this subpart, by heat input determined in accordance with paragraph (a) of this section.

## Subpart I—Hg Mass Emission Provisions

SOURCE: 70 FR 28684, May 18, 2005, unless otherwise noted.

## § 75.80 General provisions.

(a) *Applicability.* The owner or operator of a unit shall comply with the requirements of this subpart to the extent that compliance is required by an applicable State or Federal Hg mass emission reduction program that incorporates by reference, or otherwise adopts the provisions of, this subpart.

(1) For purposes of this subpart, the term “affected unit” shall mean any coal-fired unit (as defined in § 72.2 of this chapter) that is subject to a State or Federal Hg mass emission reduction program requiring compliance with this subpart. The term “non-affected unit” shall mean any unit that is not subject to such a program, the term “permitting authority” shall mean the permitting authority under an applicable State or Federal Hg mass emission reduction program that adopts the requirements of this subpart, and the term “designated representative” shall mean the responsible party under the applicable State or Federal Hg mass emission reduction program that adopts the requirements of this subpart.

(2) In addition, the provisions of subparts A, C, D, E, F, and G and appendices A through G of this part applicable to Hg concentration, flow rate, moisture, diluent gas concentration, and heat input, as set forth and referenced in this subpart, shall apply to the owner or operator of a unit required to meet the requirements of this subpart by a State or Federal Hg mass emission reduction program. The requirements of this part for SO<sub>2</sub>, NO<sub>x</sub>, CO<sub>2</sub> and opacity monitoring, record-keeping and reporting do not apply to units that are subject only to a State or Federal Hg mass emission reduction